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8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 JOHNNY ESQUIVEL,

11 Petitioner(s),

12 vs.

13 BRIAN WILLIAMS, et al.,

14 Respondent(s).

Case No. 2:17-cv-02227-RFB-PA

**UNOPPOSED MOTION FOR  
ENLARGEMENT OF TIME TO FILE:  
REPLY TO OPPOSITION TO MOTION TO  
DISMISS [ECF NO. 28] AND RESPONSE TO  
MOTION FOR DISCOVERY [ECF NO. 29]  
(FIRST REQUEST)**

15 Respondents, by and through counsel, AARON D. FORD, Attorney General of the State of  
16 Nevada, hereby respectfully move this Court for an order granting an enlargement of time to file and  
17 serve (1) the reply to the opposition to motion to dismiss [ECF No. 29], to and including April 8, 2019  
18 and (2) the response to the motion for discovery [ECF No. 29], to and including April 8, 2019.

19 This motion is based upon the provisions of Rule 6(b) of the Federal Rules of Civil Procedure  
20 and the attached Declaration of Counsel, as well as all other papers, documents, records, pleadings and  
21 other materials on file herein.

22 There have been no prior enlargements of Respondents' time to file these documents; Assistant  
23 Federal Public Defender Jeremy C. Baron has indicated that he has no objection; and this motion is  
24 made in good faith and not for the purposes of delay.

25 RESPECTFULLY SUBMITTED this 14th day of March, 2019.

26 AARON D. FORD  
Attorney General

27 By: /s/ Sheryl Serreze  
28 SHERYL SERREZE (Bar No. 12864)  
Deputy Attorney General

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**DECLARATION OF COUNSEL**

15 I, SHERYL SERREZE, hereby states, based on personal knowledge and/or information and  
16 belief, that the assertions of this declaration are true:

17 1. I am a Deputy Attorney General employed by the Attorney General's Office of the State of  
18 Nevada in the Bureau of Criminal Justice, Post-Conviction Unit, and I make this declaration on behalf of  
19 Respondents' motion for enlargement of time.

20 2. By this motion, I am requesting an enlargement of time to file and serve (1) the reply to the  
21 opposition to motion to dismiss [ECF No. 29], to and including April 8, 2019 and (2) the response to the  
22 motion for discovery [ECF No. 29], to and including April 8, 2019. This is my first request for  
23 enlargement.

24 3. The response to the reply to the opposition to motion to dismiss is currently due on April 1,  
25 2019 (*see*, ECF No. 17 at 2:3-4) and the response to the motion for discovery is currently due on  
26 March 25, 2019.

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4. On May 3, 2018, Esquivel filed his counseled amended federal petition. ECF No. 15. On November 7, 2018, Respondents filed a motion to dismiss. ECF No. 20. On March 11, 2019, Esquivel filed an opposition to the motion to dismiss, ECF No. 28, and the motion for discovery. ECF No. 29.

5. Undersigned counsel has the following federal filing deadlines in the upcoming month: *Alvizar v. State of Nevada, et al*, United States Court of Appeals for the Ninth Circuit Case No. 18-15516; *Duda v. Williams, et al*, (2:16-cv-02108-JAD-VCF); *Fields v. Dzurenda, et al.*, (3:17-cv-00691-MMD-VPC); *Goode v. Perry, et al.*, (3:18-CV-00362-RCJ-WGC); *Moore v. Williams, et al*, (2:18-cv-02190-MMD-VCF); *Turner v. Baker, et al.*, (3:17-cv-00139-MMD-WGC).

6. I also have responses due in the following state cases over the next month: *Plummer v. Renee Baker*, Nevada Court of Appeals, Case No. 76225-COA; *Burgess v. State of Nevada, et al.* (1st JD 18 EW 00282 1B); *Boss v. Nevada State Legislature, et al.* (11th JD 27CV-WR1-2019-0031); *Copley v. Nevada State Legislature, et al.* (11th JD 27CV-WR1-2019-0005); *Eby v. Nevada State Legislature, et al.* (11th JD 27CV-WR1-2019-0011); *Hull v. Baca, et al.*, (1st JD 17 EW 00017 1B); *Valdez-Salcido v. Offender Management Division, State of Nevada*, (1st JD 18 EW 00271 1B).

7. I am therefore requesting the one week and two week, respectively, enlargements of time to file and serve (1) the reply to the opposition to motion to dismiss [ECF No. 29], to and including April 8, 2019 and (2) the response to the motion for discovery [ECF No. 29], to and including April 8, 2019. This is my first request for enlargement.

8. On March 14, 2019, I contacted Assistant Federal Public Defender Jeremy C. Baron regarding this request for an extension of time. As a matter of professional courtesy, Mr. Baron had no objection to the request. This lack of objection should not be considered as a waiver of any procedural defenses or statute of limitations challenges, or construed as agreeing with the accuracy of the representations in this motion.

9. This motion for enlargement of time is made in good faith and not for the purpose of unduly delaying the ultimate disposition of this case.

Pursuant to 28 U.S.C. § 1746, Declarant herein certifies, under penalty of perjury, that the foregoing is true and correct.

/s/ Sheryl Serreze  
SHERYL SERREZE

1 **CERTIFICATE OF SERVICE**

2 I certify that I am an employee of the Office of the Attorney General and that on this 14th day of  
3 March, 2019 I served a copy of the foregoing UNOPPOSED MOTION FOR ENLARGEMENT OF  
4 TIME TO FILE: REPLY TO OPPOSITION TO MOTION TO DISMISS [ECF NO. 28] AND  
5 RESPONSE TO MOTION FOR DISCOVERY [ECF NO. 29] (FIRST REQUEST), by U.S. District  
6 Court CM/ECF electronic filing to:

7 Jeremy C. Baron  
8 Assistant Federal Public Defender  
9 411 E Bonneville Ave. Suite 250  
Las Vegas, Nevada 89101

10 /s/ Laurie Sparman

11  
12 IT IS SO ORDERED:

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16 RICHARD F. BOULWARE, II  
UNITED STATES DISTRICT JUDGE

17 DATED this 15th day of March, 2019.  
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